

Notice of Allowability

Application No.

09/207,361

Examiner

Kim-Kwok CHU

Applicant(s)

ZUCKER, FRIEDHELM

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE & Amendment filed on 5/18/2007.
2. ☒ The allowed claim(s) is/are 1-3 and 6-10 which are renumbered as 1-8 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Continued Examination after Final Rejection

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 18, 2007 has been entered.

Allowable Subject Matter

2. Claims 1-3 and 6-10 are allowable over prior art.

3. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on the Supplemental Preliminary Amendment filed on May 18, 2007:

As in claim 1, the prior art of record fails to teach or fairly suggest a magneto-optical recording or reproducing device having the following features:

an information erasing means formed by an erasing magnet moving with the optical scanning device and having a magnetic field which is directed opposite to the magnet of the writing device,

the information erasing means is connected with the optical scanning device for moving with the optical scanning

device to one of erase, and erase and initialize the magneto-optical recording medium only in a limited region moving with the optical scanning device upstream of a track to be written directly before the recording of new information or data and has a field strength sufficient to initialize the magneto-optical recording medium and to erase information previously stored in a recording layer on the magneto-optical recording medium facing the optical scanning device without the assistance of a laser for directly overwriting information or data recorded on a magneto-optical recording medium at high data rate without a magneto-optical writing device for erasing recorded information or data.

As in claim 10, the prior art of record fails to teach or fairly suggest a magneto-optical recording or reproducing device having the following features:

an erasing magnet having a magnetic field which is directed opposite to the magnet of the writing device and having a field strength sufficient for initializing and erasing information previously stored in a recording layer on the magneto-optical recording medium facing the optical scanning device without the assistance of a laser for overwriting information or data recorded on a magneto-optical recording medium at high data rata without a magneto-optical writing device for erasing recorded

information or data; and

a second optical scanning device for reproducing information or data stored on the magneto-optical recording medium, the first and second optical scanning devices simultaneously recording and reproducing Information or data and wherein the information erasing means is connected with the optical scanning device for moving with the optical scanning device to one of erase, and erase and initialize the magneto-optical recording medium only in a limited region moving with the optical scanning device upstream of a track to be written directly before the recording of new information or data.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington, can be reached on (571) 272-4483.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

Kim-Kwok CHU

Examiner AU2627

May 25, 2007

(571) 272-7585


ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER